

CITY COMMISSION MINUTES

December 21, 2010

7:00p.m.

The regular meeting of the Junction City City Commission was held on Tuesday, December 21, 2010 with Mayor Mike Rhodes presiding.

The following members of the Commission were present: Terry Heldstab, Scott Johnson, Mike Rhodes, Ken Talley, and Jack Taylor. Staff present was: City Manager Gerry Vernon, City Attorney Catherine Logan, and City Clerk Tyler Ficken.

CONSENT AGENDA

The consideration and approval of **Appropriation Ordinance A-24-2010** dated December 2nd to December 15th 2010 in the amount of \$490,609.73. Commissioner Taylor moved, seconded by Commissioner Talley to approve the Consent Agenda. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

Approval of the **December 7, 2010** City Commission Meeting Minutes; approval of the November 19, 2010 City Commission Meeting Minutes. Commissioner Taylor moved, seconded by Commissioner Talley to approve the Consent Agenda. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

A letter of Support to KDOT on behalf of the Geary County Senior Citizen's Center. Commissioner Taylor moved, seconded by Commissioner Talley to approve the Consent Agenda. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval to increase inspection costs for the East Chestnut St. project in the total amount of \$34,876.22; the City share is \$6,975.24. Commissioner Taylor moved, seconded by Commissioner Talley to approve the Consent Agenda. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval to increase inspection costs for the Chestnut St Roundabout in the total amount of \$30,849.58. Commissioner Taylor moved, seconded by Commissioner Talley to approve the Consent Agenda. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

SPECIAL PRESENTATIONS

Berberich Trahan & Co. to present the 2009 audit. (Removed from Agenda)

PUBLIC HEARINGS

A public hearing to receive comment from the public regarding budget amendments. Mayor Rhodes opened the public hearing. Gerald Gerloff asked in the 2010 budget was being amended, and not the 2011 budget. City staff indicated that it was the 2010 budget. Mayor Rhodes closed the public hearing.

UNFINISHED BUSINESS

The consideration and approval of Ordinance **G-1087** adopting by reference a new Title V, Building and Construction, of the Municipal Code of the City of Junction City by establishing Title V as a separately prepared document that includes the adoption of the 2006 International Building Codes (final reading). **David Yearout Presenting.** Commissioner Taylor moved, seconded by Commissioner Johnson to approve G-1087 on final reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of **G-1092** amending title II of the City Code concerning the adoption by reference of the 2006 International Fire Code and the NFPA 101 Fire Prevention Code (final reading). **David Yearout Presenting.** Commissioner Talley asked if the change does not include fire sprinklers for all residential buildings. David Yearout stated that the update does not require fire sprinklers in all residential buildings. Commissioner Talley moved, seconded by commissioner Heldstab to approve G-1092 on final reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval **S-3089** a request of Kaw Valley Engineering, agent, on behalf of Ernest Baszak, owner, for rezoning of Lot 24, a replat of Michael's Run, located at the northwest corner of McFarland Road and Caroline Avenue, from "CSR" Service Commercial Restricted to "PDD" Planned Development District to allow redevelopment of the property into a duplex residential neighborhood (final reading). **David Yearout Presenting.** Commissioner Heldstab moved, seconded by Commissioner Taylor to approve S-3089 on final reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Ordinance **G-1091** to amend section 100.040 of the municipal code PUBLIC RECORDS – ACCESS TO AND COPYING (final reading). **Tyler Ficken Presenting.** Commissioner Heldstab moved, seconded by commissioner Talley to approve G-1091 on final reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Ordinance **G-1089** an update to Water Utility Code (final reading). **Cheryl Beatty Presenting.** Commissioner Johnson asked if there have been questions from the community regarding this ordinance. Finance Director Beatty stated that there have been no questions, and the information has been on the website. Commissioner Taylor moved, seconded by Commissioner Talley to approve G-1089 on final reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Ordinance **G-1090** an update to Wastewater Utility code (final reading). **Cheryl Beatty Presenting.** Commissioner Taylor moved, seconded by Commissioner Johnson to approve G-1090 on final reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

NEW BUSINESS

The consideration and approval of budget amendments and transfers to authorize increase in budgets. **Cheryl Beatty Presenting.** Commissioner Johnson stated that he believes that the stormwater fund should be used to fund future projects. Finance Director Beatty stated that funds will need to be saved for future projects to improve the stormwater system such as holding basins or a treatment plant. City Manager Vernon stated a portion of the funds will be spent to retire debt on stormwater projects already completed. Commissioner Talley stated that the federal government has mandated this program, and future requirements are unknown. Finance Director Beatty stated that the EPA will assert that they have provided enough time for cities to comply with this mandate. Commissioner Johnson stated that Rolling Meadows should be closed during the winter months to save money. Commissioner Johnson stated that Spin city receives funds from the school district. Commissioner Taylor stated that funding for Rolling Meadows can be examined when the next budget is created. Commissioner Johnson stated that Rolling Meadows has had many years to begin to make a profit. Finance Director Beatty stated that the action of the Commission on this item would take care of potential budget infractions. Commissioner Taylor moved, seconded by commissioner Talley to approve budget fund transfers as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried. Commissioner Johnson moved, seconded by Commissioner Talley to approve budget amendments as presented. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of Charter Ordinance #40 to amend Charter Ordinance #34 to change deposit of officer training funds to the law Enforcement Training Fund #54 (fka DARE Fund), instead of the General Fund (first reading). **Cheryl Beatty Presenting.** Commissioner Taylor thanked Chief Brown for bringing this to the attention of the Commission. Commissioner Taylor moved, seconded by Commissioner Johnson to approve Charter Ordinance #40 on first reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of **G-1080** to amend the city code to adopt new refuse rates (first reading). **Cheryl Beatty Presenting.** Commissioner Johnson asked why there will be an increase for additional carts. Finance Director Beatty stated that only travel dollars are saved for additional costs; tipping charges are expensive and justify the increase from \$7.50 to \$10.00 for an additional cart. Commissioner Heldstab stated that he would like a price comparison from other haulers. Commissioner Johnson moved, seconded by Commissioner Taylor to approve G-1080 on first reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of **G-1094** to amend city code to make penalty clauses more uniform throughout the code book (first reading). **Cheryl Beatty Presenting.** Commissioner Talley moved, seconded by Commissioner Heldstab to approve G-1094 on first reading. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

The consideration and approval of the agreement between the City of Junction City and the Junction City Police Officer's Association for the fiscal years of 2011 and 2012.

Tricia Gowen Presenting. City Manager Vernon stated that language was included in the contract that stated longevity pay and vacation buy back would be available budget permitting; also no pay increases for 2011. City Manager Vernon stated that there will be 4 additional vacation shifts and binding arbitration for instances similar to the Fire department. City Manager Vernon stated that these types of contracts are difficult during trying economic times. Commissioner Talley moved, seconded by Commissioner Johnson to approve the agreement between the City of Junction City and the Junction City Police Officer's Association for the fiscal years of 2011 and 2012. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: none. Motion carried.

COMMISSIONER COMMENTS

Commissioner Johnson wished everyone a merry Christmas

Commissioner Taylor stated that he asks questions during the meeting to gain understanding and help people in the community to understand what is being discussed.

Commissioner Heldstab reminded people of the Christmas Diner that will be delivered on Christmas day.

Commissioner Talley requested information regarding the Regency Trailer Park situation. City Manager Vernon stated that Code enforcement has done what they can. Chief Brown stated that the attorney General may assign an investigator to this issue. Chief Brown stated that there is again new management at the park. Commissioner Talley stated that he would like to see the city stay on top of this. Chief Brown stated that calls for service have increased in the area. Commissioner Johnson stated that road conditions in some of the parks is poor. The maintenance of these roads is the responsibility of park management.

Mayor Rhodes requested that the City send a letter to the Army band that recently played at the Opera House to thank them for their performance and service.

STAFF COMMENTS

City Manager Vernon stated that he will be meeting with City staff regarding issues of security given the recent violent shooting event in Florida.

EXECUTIVE SESSION

A session to discuss issues of attorney client privilege to include the Commission, City Manager Vernon, and City Attorney Logan; not to exceed 15 minutes. Commissioner Talley moved, seconded by Commissioner Heldstab to adjourn into executive session at 8:54 PM not to exceed 15 minutes to discuss attorney client privileges. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion carried. Included in the Executive Session were the Commission, City Manager Vernon, Finance Director Beatty, and City Attorney Logan. Commissioner Heldstab moved, seconded by Commissioner Talley to reconvene into regular session at 9:10 PM having made no decisions nor taken any

action while in executive session. Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor.
Nays: None. Motion carried.

ADJOURNMENT

Commissioner Talley moved, seconded by Commissioner Johnson to adjourn at 9:10 PM
Ayes: Heldstab, Johnson, Rhodes, Talley, Taylor. Nays: None. Motion Carried.

APPROVED AND ACCEPTED THIS 4th DAY OF JANUARY 2011 AS THE OFFICIAL COPY OF
THE JUNCTION CITY CITY COMMISSION MINUTES FOR December 21ST, 2010.



Tyler Ficken, City Clerk

Mike Rhodes, Mayor